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*Attorneys for Katsky Korins, LLP*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

LAS VEGAS LAND PARTNERS, LLC.  
  
Debtor.

CASE NO: BK-S-19-15333-MKN

Chapter 7

Date of Hearing: N/A

Time of Hearing: N/A

Judge: Honorable Mike K. Nakagawa

**NOTICE OF FILING OF CHARGING ORDER AGAINST DAVID MITCHELL'S  
MEMBERSHIP INTERESTS IN THE DEBTOR**

To: Shelley Krohn, Trustee

To: Jacob Houmand, Counsel to the Trustee

**PLEASE TAKE NOTICE** that a *Charging Order* against David Mitchell's Membership Interests in the Debtor was entered by the Eighth Judicial District Court, County of Clark, on November 6, 2024, a copy of which is attached hereto as **Exhibit "1."**

Dated this 14<sup>th</sup> day of November, 2024.

HOGAN HULET PLLC

ss://Kenneth E. Hogan

KENNETH E. HOGAN

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*Attorneys for Judgment Creditor, Katsky  
Korins, LLP*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of November, 2024, I caused to be served a true and correct copy of the foregoing NOTICE OF CHARGING LIEN through the CM/ECF ELECTRONIC SERVICE system by electronically filing the above-referenced document via the CM/ECF service to the parties listed below on the date above written:

MARJORIE A. GUYMON on behalf of Creditor RUSSELL L. NYPE  
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[heatherw@goldguylaw.com](mailto:heatherw@goldguylaw.com); [guymon.marjorier54344@notify.bestcase.com](mailto:guymon.marjorier54344@notify.bestcase.com);  
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JACOB L. HOUMAND on behalf of Trustee SHELLEY D KROHN  
[jhoumand@houmandlaw.com](mailto:jhoumand@houmandlaw.com), [bsims@houmandlaw.com](mailto:bsims@houmandlaw.com); [2082209420@filings.docketbird.com](mailto:2082209420@filings.docketbird.com)

H STAN JOHNSON on behalf of Debtor LAS VEGAS LAND PARTNERS, LLC  
[sjohnson@cohenjohnson.com](mailto:sjohnson@cohenjohnson.com), [calendar@cohenjohnson.com](mailto:calendar@cohenjohnson.com);  
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JEANETTE E. MCPHERSON on behalf of Creditor REVENUE PLUS, LLC  
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JOHN W MUIJE on behalf of Creditor RUSSELL L. NYPE  
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JOHN W MUIJE on behalf of Special Counsel JOHN MUIJE  
[jmuije@muijelawoffice.com](mailto:jmuije@muijelawoffice.com), [carrie@muijelawoffice.com](mailto:carrie@muijelawoffice.com)

BRADLEY G SIMS on behalf of Trustee SHELLEY D KROHN  
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MARK M. WEISENMILLER on behalf of Creditor THE LAW OFFICE OF HA YES & WELSH  
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JOSEPH G. WENT on behalf of Creditor Regional Transportation Commission of Southern Nevada  
[jgwent@hollandhart.com](mailto:jgwent@hollandhart.com), [vlarsen@hollandhart.com](mailto:vlarsen@hollandhart.com); [IntakeTeam@hollandhart.com](mailto:IntakeTeam@hollandhart.com)

Further, I hereby certify that on the 14th day of November, 2024, I caused to be served a true and correct copy of the foregoing NOTICE OF CHARGING LIEN through the U.S. Mail First Class Postage Prepaid to the following on the date above written:

Andrew S. Lewner, Esq.  
Westerman Ball Ederer Miller Zucker & Sharfstein, LLP  
1201 RXR Plaza  
Uniondale, New York 11566  
Last known attorney for Judgment Debtor David Mitchell

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated this 14th day of November, 2024.

HOGAN HULET PLLC

/s/ Kenneth E. Hogan  
KENNETH E. HOGAN  
Nevada Bar No. 10083  
10501 W. Gowan Rd Suite 260  
Las Vegas, Nevada 89129

## **EXHIBIT 1**

*Heather S. Hume*

CLERK OF THE COURT

**ORDG**  
HOGAN HULET PLLC  
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*Attorneys for Plaintiff*  
*Katsky Korins, LLP*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

KATSKY KORINS, LLP, a New York Limited  
Liability Professional Company

CASE NO: A-24-896547-F

DEPT: 25

Plaintiff,

vs.

**CHARGING ORDER**

DAVID J. MITCHELL, an individual,

Defendant,

Before this Court came the application of plaintiff Katsky Korins, LLP (the “Judgment Creditor”), including the Declaration of Kenneth E. Hogan, Esq., filed on September 23, 2004, seeking a charging order against the equity interests of judgment debtor David J. Mitchell (the “Judgment Debtor”) in Las Vegas Land Partners, LLC, a Delaware limited liability company, made pursuant to NRS §§ 86.401 and 87.280, charging said equity interests towards the unpaid balance of the Judgment duly domesticated in the above-captioned action in favor of Judgment Creditor and against the Judgment Debtor in the principal sum of \$662,589.72, plus post-judgment interest from and after September 6, 2019 at the statutory rate for the State of New York (9%).

No timely objection or other response was filed on behalf of the Judgment Debtor, and

1 with no objection by Judgment Debtor haing been made in connection with this Application, there  
 2 is no dispute that the Judgment Creditor is entitled to a charging order against the Judgment  
 3 Debtor's interests in the LLC pursuant to EDCR 2.20(e) and EDCRE 2.23(c)

4 Under NRS § 86.401(1), a judgment creditor of a member of a limited liability company  
 5 may apply to a court for an order to "charge the member's interest with payment of the unsatisfied  
 6 amount of the judgment with interest." The statute further provides "the judgment creditor has  
 7 only the rights of an assignee of the member's interest." Id. In other words, "[a] judgment creditor,  
 8 or assignee, is only entitled to the judgment debtor's share of the profit and distributions, takes no  
 9 interest in the LLC's assets, and is not entitled to participate in the management or administration  
 10 of the business. Weddell v. H2O, Inc., 128 Nev. 94, 104, 271 P.3d 743, 750 (2012).

12 Good cause appearing, the Judgment Creditor's Application for a charging order against  
 13 Judgment Debtor's equity interests in the LLC is granted, and this Court orders as follows:

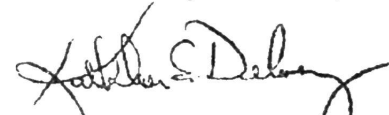
### 15 **ORDER**

16 The Judgment Debtor's membership in Las Vegas Land Partners, LLC is charged for the  
 17 amount of \$662,589.72, plus post-judgment interest from and after September 6, 2019 at the  
 18 statutory rate for the State of New York (9%) to satisfy the Judgment. Any distribution on account  
 19 of the Judgment Debtor's equity interests in Las Vegas Land Partners, LLC shall be paid over to  
 20 the Judgment Creditor until such time as the Judgment Debtor has satisfied all of his obligations  
 21 to the Judgment Creditor pursuant to the Judgment.

### 23 **IT IS SO ORDERED**

24 Dated this \_\_\_\_ day of October, 2024

Dated this 6th day of November, 2024



DISTRICT COURT JUDGE

**46C C4F E4ED EE43  
 Kathleen E. Delaney  
 District Court Judge**

Respectfully submitted by:

HOGAN HULET PLLC

By: /s/ Kenneth E. Hogan

KENNETH E. HOGAN

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Las Vegas, Nevada 89129

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Katsky Korins, LLP, Plaintiff(s) | CASE NO: A-24-896547-F  
7 vs. David Mitchell, Defendant(s) | DEPT. NO. Department 25  
8

9 **AUTOMATED CERTIFICATE OF SERVICE**

10 This automated certificate of service was generated by the Eighth Judicial District  
11 Court. The foregoing Order Granting was served via the court's electronic eFile system to all  
12 recipients registered for e-Service on the above entitled case as listed below:

13 Service Date: 11/6/2024

14 Kenneth Hogan

ken@h2legal.com